UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/461,492	12/14/1999	STEVEN M. ARMSTRONG	NTL-3.2.086/	3881

7590   10/04/2002

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EXAMINER
ZIA, SYED

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No	Applicant(s)
Office Action Summary	09/461,492	ARMSTRONG ET AL.
	Examiner	Art Unit
	Syed Zia	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 December 1999* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-30* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). *4* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment

by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Staples et al. U.

S. Patent (6,301,339).

3.   Regarding claims 1, 13 and 22 Staples teaches and describes a system and method that

relates to a system and method which provides connectivity between one or more remote users

and a corporate office, wherein the remote users have a virtual presence at the corporate office,

including access to the facilities and features provided by the corporate office telephone system

and local area network, comprising:

- providing said watched party with a contact identifier; storing a plurality of contact

addresses for said watched party in a common location which is accessible via said multiple

access network; and receiving a request to contact said watched party, wherein said request

includes said contact identifier (Fig. 10, col. 3 line 1 to line 12, and col. 20 line 49 to line 62);

- determining that said watched party has access to said multiple access network via at

least one device (Fig. 1, col. 6 line 45 to col. 7 line 55);

- determining that said watched party is accessible by said at least one device based upon a

set of watched party defined rules; and contacting said watched party via said at least one device

if based upon said set of watched party defined rules said watched party is accessible via said at

least one device (Fig-15-16, col. 35 line 45 to col. 36 line 11).

- a processor coupled to said multiple access network, wherein said processor is

configured to store contact information for contacting said watched party via a plurality of access

network (col. 37 line 25 to line 48);

- at least one watched party defined rule stored in said processor (col.2 line 34 to line 48),

- a plurality of gateways coupled between said processor and said plurality of access

networks; wherein said plurality of gateways are configured to provide said processor with

information pertaining to a presence of said watched party on said plurality of access networks;

and, wherein said processor is configured to provide a watching party with at least a subset of

said contact information based upon said at least one watched party defined rule (Fig. 5, col. 2

line 60 to col. 3 line 67, and col. 13 line 28 to col. 14 line 42).

5.   Claims 2, 4, 10-12, 14-16, 21, 23-25, 27 and 30 are rejected applied as above rejecting

claims 1, 13, and 22. Furthermore, Staples teaches and describes a virtual presence server that

provides access of local area network (LAN) and private branch exchanger by a remote user through a communication device connected to the server in the office through public switched telephone network. The server sends data and calls to the remote user through the PSTN network, comprising:

- prior to contacting said watched party providing a contact address and a description of said at least one device to a watching party (col. 2 line 50 to col. 3 line 12);

- determining that said watched party is accessible via a plurality of devices; contacting said watched party via at least one of said plurality of devices based upon said set of watched party defined rules (col. 3 line 13 to line 42);

- converting said contact identifier into at least one of said plurality of contact addresses prior to contacting said watched party; and contact identifier into a plurality of said plurality of contact addresses prior to contacting said watched party (col. 35 line 50 to col. 37 line 24);

- controlling access to said determination that said watched party has access to said multiple access network via said at least one device based upon said watched party defined rules (Fig-15-16, col. 35 line 45 to col. 36 line 11);

- a plurality of watched party defined rules stored in said processor (col. 2 line 34 to line 48); - contact information includes at least one destination address of said watching party for contacting said watched party via at least one of said access networks; and contact information includes at least one device type for contacting said watching party (col. 25 line 17 to line 47);

- processor is configured to limit access to a watching party to at least one set of contact information based upon said at least one watched party defined rule; and said subset of said contact information comprises a contact identifier which is convertible by said processor means

into at least one contact address for said watched party (Fig. 18, and col. 38 line 42 to col. 39 line

63).

6.   Claims 3, 5, 9, 17-18, 26, and 28-29 are rejected applied as above rejecting claims 2, 4,

15, 16, 25, and 27. Furthermore, Staples teaches and describes a virtual presence server, wherein

        - prior to contacting said watched party, said watching party providing said contact

address and said description of said at least one device with said request; and prior to contacting

said watched party, providing a contact address and a description of said at least one device to a

watching party (col. 2 line 50 to col. 3 line 12);

        - determining a contextual situation of a watched party and providing a description of

said contextual situation to said watching party (Fig. 3, and col. 10 line 1 to line 17);

        - said device type is selected from the group consisting of telephone, facsimile, pager, e-mail system

and video conference system (Fig. 2, and col. 7 line 55 to col. 9 line 53);

        - said subset of said contact information comprises a contact identifier which is

convertible by said processor into at least one contact address for said watched party (Fig. 18,

and col. 38 line 42 to col. 39 line 63);

        - said contact identifier comprises a telephone number; and said contact identifier

comprises a data network address (col. 7 line 19 to line 38).

7.   Claims 6, and 19-20 are rejected applied as above rejecting claims 5 and 18. Furthermore,

Furthermore, Staples teaches and describes a virtual presence server, wherein

- prior to contacting said watched party, said watching party providing said contact

address and said description of said at least one device with said request (col. 2 line 50 to col. 3

line 12);

- contact identifier comprises a telephone number; and contact identifier comprises a data

network address (col. 7 line 19 to line 38).

7.   Claims 7, and 8 are rejected applied as above rejecting claim 6. Furthermore

- prior to contacting said watched party, providing a contact address and a respective

description of said plurality of devices to said watching party (col. 2 line 50 to col. 3 line

12);and

- prior to contacting said watched party, said watching party providing said contact

address and said description of at least one of said plurality of devices with said request (Fig. 3,

and col. 10 line 1 to line 17).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. U. S. Patents (5696900), (5742905), (6023762), (6437818), and (6457060).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Syed Zia whose telephone number is 703-305-3881. The

examiner can normally be reached on Monday - Friday 9:00 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-746-7239 for regular

communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-746-7240.

sz
September 30, 2002

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100